

Attorney's Docket No.: Enz-57(CIP)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Jennifer June Brown et al.

Serial No.: 09/356,293

Group Art Unit: 1632

Filing Date: July 16, 1999

Examiner: Not Yet Known

Title: BIOLOGICAL MODELS CAPABLE OF EXHIBITING SECONDARY DISEASE MANIFESTATIONS
AND USEFUL FOR DEVELOPING THERAPEUTIC DRUGS, DIAGNOSTIC PRODUCTS AND
THERAPEUTIC OR DIAGNOSTIC PROCEDURES, METHODS OF USING SAME, AND CELLS,
TISSUES AND ORGANS DERIVED THEREFROM

527 Madison Avenue (9th Floor)
New York, New York 10022
December 2, 1999

FILED BY EXPRESS MAIL

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Attention: Box Missing Parts

COMMUNICATION IN RESPONSE TO AUGUST 11, 1999
NOTICE TO FILE MISSING PARTS OF APPLICATION
- FILING DATE GRANTED

Dear Sir or Madam:

This Communication is in response to the Notice To File Missing Parts - Filing Date Granted - mailed on August 11, 1999 in connection with the above-identified application.

Enclosed with this Communication are the following documents:

- 1) a copy of the aforementioned Notice, attached as Exhibit A;
- 2) a Declaration for Patent Application of the inventors:
Jennifer June Brown;
Elazar Rabbani;
James J. Donegan; and
Jayanta Roy-Chowdhury
attached as Exhibit B;
- 3) a Verified Statement Claiming Small Entity Status;

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No. EL531126194US	
Deposit Date	December 2, 1999
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.	
Ronald C. Fedus Reg. No. 32,567	DEC 2 99 Date

ENZ-57(CIP)

Jennifer June Brown et al.
Serial No. 09/356,293
File: July 16, 1999
Page 2 (Communication In Response To August 11, 1999 Notice
To File Missing Parts Of Application - Filing Date Granted-
December 2, 1999)

- 4) a Request For An Extension Of Time (Two Months) Under 37 CFR
§1.36(a); and
- 5) a Request To Correct Typographical Errors Appearing In The Filing
Receipt Issued In Connection With The Instant U.S. Patent Application.

The U.S. Patent and Trademark Office is hereby authorized to charge the amount of \$2,871.00 to Deposit Account No. 05-1135, the \$2,871.00 amount includes the requisite small entity fee of \$190.00 for filing a response within the second month as set forth in 37 CFR §1.17(a)(2), one-half of the statutory basic filing fee ($\$760.00 \div 2 = \380.00), and the additional claim fees of \$1,872.00 [based upon the presentation of 48 total claims over 20 claims, 1 independent claim over 3 independent claims (\$39.00)], \$260.00 for the multiple dependent claim surcharge, the small entity surcharge (\$65.00) in connection with the Missing Parts Notice, and a surcharge of \$65.00 for late filing by a small entity under 37 CFR 1.16(e) in compliance with 37 CFR 1.27. If any other fees are due in connection with this Communication, the Patent office is further hereby authorized to charge the amount of any such other fees to Deposit Account No. 05-1135 or to charge any overpayment thereto.

If a telephone conversation would be helpful in expediting the processing of this Communication or to the recording of the Assignment, the undersigned may be contacted by telephone at: (212) 583-0100.

Respectfully submitted,



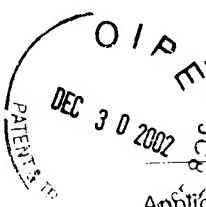
Ronald C. Fedus
Registration No. 32,567
Attorney for Applicants

Date: December 2, 1999

ENZO THERAPEUTICS, INC.
c/o Enzo Biochem, Inc.
527 Madison Avenue (9th Floor)
New York, new York 10022
Tel.: (212) 583-0100
Attorney's Docket No.: ENZ-57(CIP)

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ENZ-57(CIP)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jennifer June Brown et al.)
Serial No. 09/356,293) Group Art Unit: 1632
Filed: July 16, 1999) Examiner: Not Yet Known
Title: BIOLOGICAL MODELS CAPABLE OF)
EXHIBITING SECONDARY DISEASE)
MANIFESTATIONS AND USEFUL FOR)
DEVELOPING THERAPEUTIC DRUGS,)
DIAGNOSTIC PRODUCTS AND THERAPEUTIC)
OR DIAGNOSTIC PROCEDURES, METHODS)
OF USING SAME, AND CELLS, TISSUES)
AND ORGANS DERIVED THEREFROM)

527 Madison Avenue, 9th Floor
New York, New York 10022
December 2, 1999

FILED BY EXPRESS MAIL

Honorable Commissioner
of Patents and Trademarks:
Washington, D.C. 20231

REQUEST TO CORRECT
TYPOGRAPHICAL ERRORS APPEARING IN
THE FILING RECEIPT ISSUED IN CONNECTION WITH
THE INSTANT U.S. PATENT APPLICATION

Dear Sirs:

Applicants through their attorneys submit this Request To Correct Typographical Errors Appearing In The Filing Receipt Issued in Connection With The Instant U.S. Patent Application, namely U.S. Patent Application Serial No. 09/356,293, filed July 16, 1999.

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No. EL531126194US	
Deposit Date	December 2, 1999
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.	
Ronald C. Fedus Reg. No. 32,567	DEC 2 99 Date

Jennifer June-Brown et al.

Serial No. 09/356,293

Filed: July 16, 1999

Page 2 (Request To Correct Typographical Errors Appearing In The Filing Receipt
Issued In Connection With The Instant U.S. Patent Application
- December 2, 1999)

Please correct the Filing Receipt as follows:

Add after "Foreign Filing License Granted 08/13/99 the following:

-- * SMALL ENTITY * --.

It is believed that no fee is due in connection with the filing of this Request. In the event, however, that any fee or fees are due, however, The Patent and Trademark Office is hereby authorized to charge Deposit Account No. 05-1135 for any requisite fee and the Patent and Trademark Office is further authorized hereby to charge Deposit Account No. 05-1135 for any other fees required in connection with this Petition or to credit any overpayment thereto.

Favorable action on this Request is earnestly solicited.

Respectfully submitted,



Ronald C. Fedus
Registration No. 32,567
Attorney for Applicants

ENZO THERAPEUTICS, INC.
c/o Enzo Biochem, Inc.
527 Madison Avenue (9th Fl.)
New York, New York 10022
Telephone: (212) 583-0100
Fax: (212) 583-0150

LC/USProsecution/Enz-67(cip).RequestToCoredtFilingReceiptEnz57(CIP).110999

ENZ-57(CIP)



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/351,290 07/16/99 BROUARD

J ENZ-62 (LIP)

0262/0811

ENZO THERAPEUTICS INC
C/O ENZO BIOCHEM INC
527 MADISON AVENUE 9TH FLOOR
NEW YORK NY 10022

NLT ASSIGNED

1632

DATE MAILED:

08/11/99

NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
 small entity (statement filed) non-small entity is \$ 1352.

1. The statutory basic filing fee is:

- missing.
 insufficient.

Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. The following additional claims fees are due:

\$ 864 for 48 total claims over 20.

\$ 78 for 1 independent claims over 3.

\$ 260 for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

- is missing or unsigned.
 does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jennifer June Brown et al.)
Serial No. 10/042,711) Group Art Unit::1632
Filed: December 12, 2001) Examiner: Not Yet Known
Title: BIOLOGICAL MODELS CAPABLE OF EXHIBITING)
SECONDARY DISEASE MANIFESTATIONS AND)
USEFUL FOR DEVELOPING THERAPEUTIC DRUGS)
DIAGNOSTIC PRODUTS AND THERAPEUTIC OR)
DIAGNOSTIC PROCEDURES, METHODS OF USING)
SAME, AND CELLS, TISSUESAND ORGANS)
DERIVED THEREFROM)

COPY

527 Madison Avenue, 9th Floor
New York, New York 10022
December 30, 2002

FILED BY EXPRESS MAIL

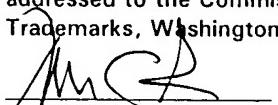
United States Patent and Trademark Office
P.O. Box 2327
Arlington, Virginia 22202

Attention: Box Sequence

COMMUNICATION DIRECTED TO NOTICE
TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION – COMPLIANCE
WITH REQUIREMENTS OF 37 CFR 1.821-1.825 –SEQUENCE RULES

Dear Sirs:

This Communication is directed to the notice to comply with sequence rules that was contained in the Notice to File Missing Parts of Application Of Non-Provisional Application that was mailed on July 30, 2002 in connection with the above-identified application. A copy of the Notice To File Missing Parts is attached hereto as Exhibit A.

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No. EV205342210US	
Deposit Date	December 30, 2002
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.	
	
Ronald C. Fedus Reg. No. 32,567	DEC 30 2002 Date

Jennifer June Brown et
Serial No. 10/042,711
Filed: December 12, 2001

Page 2 (COMMUNICATION DIRECTED TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION – COMPLIANCE WITH REQUIREMENTS OF 37 CFR 1.821-1.825 –SEQUENCE RULES
- -- December 30, 2002)

In response to the requirement to comply with sequence rules, Applicants hereby submit the following documents or items:

1. an initial paper copy of the "Sequence Listing (Exhibit 1);"
2. Amendment directing entry of the "Sequence Listing into the specification (Exhibit 2);"
3. computer readable form (CFR) copy of the "Sequence Listing" (Exhibit 3);
4. Declaration Under 37 C.F.R. §1.821(g) attesting that the content of the paper and computer readable copies are the same and include no new matter (Exhibit 4); and
5. a Statement To Support Filing and Submission In Accordance With 37 CFR §§ 1.821-l.825.

No fee is believed due in connection with this Communication or the documents or items submitted herewith. If any fee or fees are due, however, the Patent and Trademark Office is hereby authorized to charge the amount of any such fee to Deposit

.

Jennifer June Brown et

Serial No. 10/042,711

Filed: December 12, 2001

Page 3 (COMMUNICATION DIRECTED TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION – COMPLIANCE WITH REQUIREMENTS OF 37 CFR 1.821-1.825 –SEQUENCE RULES
- -- December 30, 2002)

Account 05-1135, or to credit any overpayment thereto.

If helpful to processing this Communication, the undersigned may be contacted by telephone at (212) 583-0100 during the daytime hours.

Respectfully submitted,



Ronald C. Fedus
Registration No. 32,567
Attorney for Applicants

ENZO THERAPEUTICS, INC.
c/o Enzo Biochem, Inc.
527 Madison Avenue (9th Fl.)
New York, New York 10022
(212) 583-0100

ENZ-57(CIP)(C)



DEC 30 2002
PATENT
USPTO

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/042,711	12/12/2001	Jennifer June Brown	ENZ-57 (CIP) (C)

Attn: Ronald C. Fedus, Esq.
ENZO THERAPEUTICS, INC.
c/o ENZO BIOCHEM, INC.
527 Madison Avenue, 9th Fl.
NEW YORK, NY 10022

CONFIRMATION NO. 4374
FORMALITIES LETTER



OC00000008529872

Date Mailed: 07/30/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May

15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- Additional claim fees of **\$1120** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1990** for a Large Entity

- **\$740** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$1120**
 - **\$756** for **42** total claims over 20.
 - **\$84** for **1** independent claims over 3.
 - **\$280**for multiple dependent claim surcharge.

A copy of this notice MUST be returned with the reply.

S.B

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney's Docket No.: Enz-57(CIP)(C)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Jennifer June Brown et al.

Serial No.: 10/042,711

Group Art Unit: 1632

Filing Date: December 12, 2001

Examiner: Not Yet Known

Title: **BIOLOGICAL MODELS CAPABLE OF EXHIBITING SECONDARY DISEASE MANIFESTATIONS AND USEFUL FOR DEVELOPING THERAPEUTIC DRUGS, DIAGNOSTIC PRODUCTS AND THERAPEUTIC OR DIAGNOSTIC PROCEDURES, METHODS OF USING SAME, AND CELLS, TISSUES AND ORGANS DERIVED THEREFROM**

527 Madison Avenue (9th Floor)
New York, New York 10022
December 30, 2002

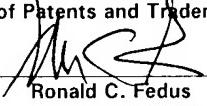
FILED BY EXPRESS MAIL

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231
Attention: Box Missing Parts

COMMUNICATION IN RESPONSE TO JULY 30, 2002
NOTICE TO FILE MISSING PARTS OF APPLICATION
- FILING DATE GRANTED

Dear Sir or Madam:

This Communication is in response to the Notice To File Missing Parts - Filing Date Granted - mailed on July 30, 2002 in connection with the above-identified application.

EXPRESS MAIL CERTIFICATE	
<u>"Express Mail" Label No. EV115518474US</u>	
<u>Deposit Date</u>	<u>December 30, 2002</u>
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.	
 Ronald C. Fedus Reg. No. 32,567	<u>DEC 30 2002</u> Date

ENZ-57(CIP)

Jennifer June Brown et al.

Serial No. 10/042,711

File: December 12, 2001

Page 2 (Communication In Response To July 30, 2002 Notice

To File Missing Parts Of Application - Filing Date Granted-
December 30, 2002)

Enclosed with this Communication are the following documents:

1) a copy of the aforementioned Notice, attached as Exhibit 1;

2) a copy of a Communication In Response To August 11, 10900 Notice
To File Missing Parts Of Application – Filing Date Granted, and proof of said filing,
as filed on December 2, 1999 in connection with the instant application's
underlying continuation-in-part application, namely, serial number 09/356,293, filed
July 16, 1999, is being submitted herewith as Exhibit 2, as demonstrative that: a)
the Declaration for Patent Application of the inventors: Jennifer June Brown; Elazar
Rabbani; James J. Donegan; and Jayanta Roy-Chowdhury; and b) a Verified
Statement Claiming Small Entity Status were filed in that underlying application;

3) a copy of Assignment and Notice of Recordation of the Assignment filed in
connection with the instant application's underlying continuation-in-part application,
namely, serial number 09/356,293, filed July 16, 1999, is being submitted
herewith as Exhibit 3;

4) Substitute Drawings in compliance with 37 CFR §1.84 (Exhibit 4); and

5) a Sequence Listing (hard paper copy only – a duplicate hard copy and a
computer-readable diskette are being sent concurrently to the U.S. Patent and
Trademark Office, Box Sequence, PO Box 2327, Arlington, Virginia 22202) and an
amendment directing its entry into the application, and a statement and declaration
that the computer readable form is identical to the written sequence listing on
paper and contains no new matter (Exhibit 5).

It is hereby respectfully requested that the aforescribed Declaration (Exhibit
2 above); Verified Statement (Exhibit 2 above) and Assignment (Exhibit 3 above)
be transferred to the instant application.

The U.S. Patent and Trademark Office is hereby authorized to charge the
amount of \$1,415.00 to Deposit Account No. 05-1135, the \$1,415.00 amount
includes the requisite small entity fee of \$420.00 for filing a response within the
fourth month as set forth in 37 CFR §1.17(a)(4), one-half of the statutory basic
filing fee (\$740.00 ÷ 2 = \$370.00), and the additional claim fees of \$378.00

ENZ-57(CIP)

Jennifer June Brown et al.
Serial No. 10/042,711
File: December 12, 2001

Page 3 (Communication In Response To July 30, 2002 Notice
To File Missing Parts Of Application - Filing Date Granted-
December 30, 2002)

[based upon the presentation of 42 total claims over 20 claims (\$378.00), 1 independent claim over 3 independent claims (\$42.00)], \$140.00 for one multiple dependent claim surcharge, and the small entity surcharge (\$65.00) in connection with the Missing Parts Notice. If any other fees are due in connection with this Communication, the Patent office is further hereby authorized to charge the amount of any such other fees to Deposit Account No. 05-1135 or to charge any overpayment thereto.

If a telephone conversation would be helpful in expediting the processing of this Communication, the undersigned may be contacted by telephone at: (212) 583-0100.

Respectfully submitted,



Ronald C. Fedus
Registration No. 32,567
Attorney for Applicants

Date: December 30, 2002

ENZO THERAPEUTICS, INC.
c/o Enzo Biochem, Inc.
527 Madison Avenue (9th Floor)
New York, New York 10022
Tel.: (212) 583-0100
Attorney's Docket No.: ENZ-57(CIP)(C)

I:\word\USPros\Enz57(CIP)(C)\CommResponsetoNoticeToFileMissingParts.Enz57CIP().123002

ENZ-57(CIP)